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MARK EDMONDS,
Plaintiff,
v.
D2IQ INC.,
Defendant.

Case No. [23-cv-02741-AGT](#)

**ORDER DIRECTING CLERK'S
OFFICE TO MAIL REQUEST TO
WAIVE SERVICE OF SUMMONS AND
RELATED DOCUMENTS**

Mark Edmonds, who is proceeding pro se and in forma pauperis, filed this employment discrimination action against his former employer, D2iQ, Inc. The U.S. Marshals Service previously attempted, unsuccessfully, to personally serve D2iQ at the address Edmonds listed in his complaint (548 Market Street, PMB 14763, San Francisco, CA 94104). *See* Dkt. 8 (Service of Process Receipt stating that “D2iQ is not at address provided”). Edmonds then filed a “request to serve the defendant’s attorney” which listed, without explanation, the names and contact information of two lawyers in Gordon Rees Scully Mansukhani, LLP’s San Francisco office, Linda Moroney and Nima Nayebi. Dkt. 9. The Court denied Edmonds’s request, explaining that “there is no indication that either individual is authorized to accept service on D2iQ’s behalf,” and ordered Edmonds to provide “(1) D2iQ’s accurate current address and (2) the name and current address of D2iQ’s designated agent for service of process. Dkt. 11. In response, Edmonds explained that (1) D2iQ was located at 225 Bush Street in San Francisco, “but has gone remote” and currently uses a P.O. Box at 548 Market Street, PMB 14763, San Francisco, CA 94104,¹ and (2) D2iQ’s agent for service of process, Kimberlee Duval, “has also gone remote” and Edmonds has been unable to locate her current address. Dkt. 12.

¹ Edmonds’s complaint did not specify that D2iQ’s 548 Market Street address is a P.O. Box. *See* Dkt. 1 at 2.

1 Edmonds also renewed his request that the Court order service on Gordon Rees attorneys
2 Linda Moroney and Nima Nayebi. *Id.* Edmonds now explains that he believes that Moroney and
3 Nayebi represent D2iQ because when he sent D2iQ an initial demand letter in connection with his
4 claims in this case, he received a response letter from Moroney and Nayebi. *Id.* At the Court's
5 request, Edmonds submitted a copy of that response letter, which lists Moroney and Nayebi on the
6 Gordon Rees letterhead and indicates that D2iQ was their client at the time of the letter—in
7 August 2022. The Court notes, however, that there is no indication that Moroney and/or Nayebi
8 currently represent D2iQ in connection with this (or any other) matter, nor is there any indication
9 that they are authorized to accept service of D2iQ's behalf. Edmonds's renewed request for
10 service on Moroney and Nayebi is therefore denied.

11 Instead, the Court directs the Clerk's Office to mail a Notice of Lawsuit and Request to
12 Waive Service of Summons, two copies of the Waiver of Service of Summons, a copy of the
13 complaint and all attachments (Dkt. 1), and a copy of this Order to each of the following:

- 14 • D2iQ, Inc.
15 548 Market Street
16 PMB 14763
17 San Francisco, CA 94104
- 18 • Linda Moroney
19 Gordon Rees Scully Mansukhani, LLP
20 275 Battery Street, Suite 2000
21 San Francisco, CA 94111
- 22 • Nima Nayebi
23 Gordon Rees Scully Mansukhani, LLP
24 275 Battery Street, Suite 2000
25 San Francisco, CA 94111

26 D2iQ is reminded that Rule 4 of the Federal Rules of Civil Procedure requires it to
27 cooperate in saving unnecessary costs of service of the summons and complaint.

28 **IT IS SO ORDERED.**

Dated: December 8, 2023



ALEX G. TSE
United States Magistrate Judge